



Atty. Dkt. No. 053466-0363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Yasukazu NAKAYAMA et al.
Original Patent No.: 6,531,165 B2 (issued Mar. 11, 2003)
Title: COLLAGEN PRODUCTION PROMOTER
COMPOSITION
Reissue Appl. No. 10/720,079
Filed November 25, 2003
Examiner: Christopher R. Tate
Art Unit: 1654

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the United States Patent & Trademark Office in parent application Serial No. 09/472,438, filed December 27, 1999 and grandparent application 09/155,012 filed September 16, 1998. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the U.S.P.T.O. in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

11/16/2004 JBALINAN 00000073 10720079

01 FC:1806

180.00 OP

-1-

002.1291252.1

Did not receive any NPLs.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Date Nov 15, 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5571
Facsimile: (202) 672-5399

Respectfully submitted,

Michael M. Maebius
By Reg No. 34,717

[Signature] Stephen Maebius
Attorney for Applicant
Registration No. 35,264

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/720,079
Date Submitted: November 15, 2004		Filing Date	11/25/2003
(use as many sheets as necessary)		First Named Inventor	Yasukazu NAKAYAMA et al.
Sheet 1 of 2		Group Art Unit	1654
TRADEMARK		Examiner Name	Christopher R. Tate
Attorney Docket Number		053466-0363	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,035,887	A	Antoniades et al.	07-30-1991	
	A2	6,080,393	A	Liu et al.	06-27-2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A3	CH	686 999	A5	Micheli & Cie	08-30-1996		
	A4	FR	2 7563 374	A1	Bouju Derambure Bugnion SA	03-20-1998		
	A5	WO	97/31620	A2	Johnson & Johnson Consumer Products, Inc.	09-04-1997		
	A6	JP	61-263908		Ichiro Katada	11-21-1986		
	A7	JP	7-53348		Mikimoto Pharmaceut Co. Ltd.	02-28-1995		
	A8	JP	7-285846		Pola Chem Ind Inc.	10-31-1995		
	A9	JP	10-59836		Shiseido Co Ltd	03-03-1998		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A10	FEVIER "Fagus Silvatica Extract"; Nature Extracts; 119 (3): 142-147 (Feb. 1993) XP-000343313	
	A11	POURRAT et al.; "A Beech bud Extract"; Cosmetic & Toiletries; 110(8): 59-63 (August 1995) XP-000879477	
	A12	Database WPI; Week 9934; XP-002130741; JP 11-158054; Abstract.	
	A13	KOICHI; "Preparation for External Use for Skin"; Patent Abstracts of Japan; Vol. 1998; No. 01; January 30, 1998; JP 09-227397; September 2, 1997; Abstract.	
	A14	MATSUMOTO, K., Fragr. J. 24(8): 81-84 (1996) JICST-EPlus Abstract	
	A15	LAWLESS, J., The Illustrated Encyclopedia of Essential Oils, The Complete Guide to the Use of Oils in Aromatherapy and Herbalism, Element Books Ltd., MA, p. 48, 1996	
	A16	HOBBS, C., in "Handbook For Herbal Healing, A Concise Guide to Herbal Products," Bontanica Press, Capitola, CA, pp. 16 and 23, 1995	

Examiner Signature	Date Considered
---------------------------	------------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: November 13, 2004 (use as many sheets as necessary)		Application Number	10/720,079
		Filing Date	11/25/2003
		First Named Inventor	Yasukazu NAKAYAMA et al.
		Group Art Unit	1654
		Examiner Name	Christopher R. Tate
Sheet 2 of 2	Attorney Docket Number	053466-0363	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A17	FRAWLEY et al., "The Yoga of Herbs, An Ayurvedic Guide to Herbal Medicine," Lotus Press, WI, pp. 78-79, 1992	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.